

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PENDLETON HEIGHTS GAY-STRAIGHT)	
ALLIANCE, an unincorporated association,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cv-02480-JRS-TAB
)	
SOUTH MADISON COMMUNITY)	
SCHOOL CORPORATION, <i>et al.</i> ,)	
)	
Defendants.)	

Stipulation and Request to Enter Final Judgment

The parties, by their counsel, stipulate and agree as follows.

1. The parties agree that under the Equal Access Act, 20 U.S.C. § 4071, *et seq*, the Pendleton Heights Gay-Straight Alliance (the “PHGSA”), must be accorded the same benefits and privileges as any other noncurriculum related club at Pendleton Heights High School.
2. Following the Court’s preliminary injunction ruling in this case, the South Madison Community School Corporation Board of Trustees has taken the following steps to assure equality of treatment of the PHGSA:
 - a. All clubs, noncurricular as well as curricular, have been removed from the on-line version of the student handbook. Rather than list the clubs in future versions of the handbook, both printed and on-line, Pendleton Heights High

School will maintain a listing of all school clubs, curricular as well as noncurricular, including PHGSA, which will be made available to students.

b. Pendleton Heights High School has temporarily suspended all club radio announcements and has suspended any posting of club information for all student clubs, both curricular and noncurricular. A new procedure will be developed by which announcement will be made directing students to the list of all clubs and a new policy will be created concerning publicizing student clubs, whether curricular or noncurricular, PHGSA will be treated the same as all other clubs regarding announcements and its ability to publicize.

c. Pending the development of new policies, no club, curricular or noncurricular, will be allowed to conduct or advertise a fundraising event within Pendleton Heights High School. Once a new policy is developed it will be applied equally to all curricular and noncurricular clubs, including PHGSA.

3. A final judgment should therefore issue permanently enjoining defendants from denying equal access and recognition to the plaintiff as a noncurricular student group and requiring defendants to accord plaintiff all rights and privileges granted to any other noncurricular group.

4. The parties have submitted a proposed final judgment for the Court's consideration.

WHEREFORE, the parties file their stipulation and request that a final judgment and permanent injunction be entered by the Court, and for all other proper relief.

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